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November 23, 1999

WRITER'S DIRECT NUMBER:

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Assistant Commissioner for Patents

Washington, D.C. 20231

**Box Patent Application**

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)

Appl. No. To Be Assigned; Filed: Herewith

For: **Amino-Terminal Modified Parathyroid**

**Hormone (PTH) Analogs**

Inventors: BRINGHURST *et al.*

Our Ref: 0609.4630001/SRL/RM

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. PTO Utility Patent Application Transmittal Form (PTO/SB/05);
2. Fee Transmittal Form (PTO/SB/17);
3. U.S. Utility Patent Application entitled:

**Amino-Terminal Modified Parathyroid Hormone (PTH) Analogs**

and naming as inventors:

F. Richard Bringhurst

Hisashi Takasu

Thomas J. Gardella

11/23/99  
JC658 U.S. PTO

09447800-442999

Assistant Commissioner for Patents  
November 23, 1999  
Page 2

the application consisting of:

- a. A specification containing:
  - (i) 46 pages of description prior to the claims;
  - (ii) 8 pages of claims (29 claims);
  - (iii) a one (1) page abstract;
- b. 6 sheets of drawings: (Figures 1-6); and
- c. 4 pages of a paper copy of a Sequence Listing;
4. Preliminary Amendment and Submission of Sequence Listing;
5. A computer readable copy of the Sequence Listing;
6. Authorization to Treat A Reply As Incorporating An Extension Of Time Under 37 C.F.R. § 1.136(a)(3) (in duplicate);
7. Two (2) return postcards; and
8. Our check No. 26021 for \$1,312.00 to cover:
  - \$760.00 Filing fee for patent application;
  - \$552.00 Fee for excess claims.

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the sequence listing and the computer readable copy of the sequence listing submitted herewith in the above application are the same.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit


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any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
Steven R. Ludwig

Steven R. Ludwig  
Attorney for Applicants  
Registration No. 36,203

SRL/RM:hmb

## Enclosures

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SKGF Rev. 11/9/99 mac

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
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PTO/SB/05 (2/98)

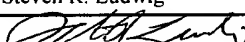
Approved for use through 09/30/2000. OMB 0651-0032  
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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> (Only for new nonprovisional applications under 37 CFR § 1.53(b))	Attorney Docket No. 0609.4630001	
	First Inventor or Application Identifier Bringham et al.	
	Title	Amino-Terminal Modified Parathyroid Hormone (PTH) Analogs
	Express Mail Label No.	

<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
<p>1. <input checked="" type="checkbox"/> * Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Specification [Total Pages 55] (preferred arrangement set forth below) - Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R &amp; D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure</p> <p>3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 6]</p> <p>4. <input type="checkbox"/> Oath or Declaration [Total Pages] a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) [Note Box 5 below] 1. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).</p> <p>5. <input type="checkbox"/> Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p> <p>6. <input type="checkbox"/> Microfiche Computer Program (Appendix)</p> <p>7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies</p>	
<b>ACCOMPANYING APPLICATION PARTS</b>	
<p>8. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>9. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney</p> <p>10. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>12. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>14. <input type="checkbox"/> *Small Entity Statement(s) (PTO/SB/09-12) <input type="checkbox"/> Statement filed in prior application, Status still proper and desired</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input checked="" type="checkbox"/> Other: 37 C.F.R. § 1.136(a)(3) Authorization <input checked="" type="checkbox"/> Other: A paper copy of the Sequence Listing; and a computer readable copy of a Sequence Listing.</p> <p>*NOTE FOR ITEMS 1 &amp; 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).</p>	
17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-Part (CIP) of prior application No: ____ / ____ Prior application information: Examiner _____ Group/Art Unit: _____	

<b>18. CORRESPONDENCE ADDRESS</b>					
<input type="checkbox"/> Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) or <input checked="" type="checkbox"/> Correspondence address below					
NAME	STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. Attorneys at Law				
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CITY	Washington	STATE	DC	ZIP CODE	20005-3934
COUNTRY	USA	TELEPHONE	(202) 371-2600	FAX	(202) 371-2540

NAME (Print/Type)	Steven R. Ludwig	Registration No. (Attorney/Agent)	36,203
SIGNATURE		Date	11/23/99

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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<b>FEE TRANSMITTAL</b> <i>Patent fees are subject to annual revision on October 1.          These are the fees effective October 1, 1997.          Small Entity payments must be supported by a small entity statement,          otherwise large entity fees must be paid. See Forms PTO/SB/09-12.          See 37 C.F.R. §§ 1.27 and 1.28.</i>		<b>Complete if Known</b>	
		Application Number	To Be Assigned
		Filing Date	Herewith
		First Named Inventor	BRINGHURST et al.
		Examiner Name	To Be Assigned
		Group / Art Unit	To Be Assigned
TOTAL AMOUNT OF PAYMENT		(\$1,312.00)	
		Attorney Docket Number	0609.4630001/SRL/RM

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																		
<b>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</b>  Deposit Account Number: 19-0036 Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.  <input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance  <b>2. <input checked="" type="checkbox"/> Payment Enclosed:     <input checked="" type="checkbox"/> Check No. 26021</b> <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other* *Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.	<b>3. ADDITIONAL FEES</b>  <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>380</td><td>216</td><td>190</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>870</td><td>217</td><td>435</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,360</td><td>218</td><td>680</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,850</td><td>228</td><td>925</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>300</td><td>219</td><td>150</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>300</td><td>220</td><td>150</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>260</td><td>221</td><td>130</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,210</td><td>241</td><td>605</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,210</td><td>242</td><td>605</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>430</td><td>243</td><td>215</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>580</td><td>244</td><td>290</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>760</td><td>246</td><td>380</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149</td><td>760</td><td>249</td><td>380</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> </tbody> </table>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	380	216	190	Extension for reply within second month		117	870	217	435	Extension for reply within third month		118	1,360	218	680	Extension for reply within fourth month		128	1,850	228	925	Extension for reply within fifth month		119	300	219	150	Notice of Appeal		120	300	220	150	Filing a brief in support of an appeal		121	260	221	130	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,210	241	605	Petition to revive - unintentional		142	1,210	242	605	Utility issue fee (or reissue)		143	430	243	215	Design issue fee		144	580	244	290	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	240	126	240	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	760	246	380	Filing a submission after final rejection (37 CFR 1.129(a))		149	760	249	380	For each additional invention to be examined (37 CFR 1.129(b))	
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<b>FEE CALCULATION</b>  <b>1. BASIC FILING FEE</b>  <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>760</td><td>201</td><td>380</td><td>Utility filing fee</td><td>760.00</td></tr> <tr><td>106</td><td>310</td><td>206</td><td>155</td><td>Design filing fee</td><td></td></tr> <tr><td>107</td><td>480</td><td>207</td><td>240</td><td>Plant filing fee</td><td></td></tr> <tr><td>108</td><td>760</td><td>208</td><td>380</td><td>Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>150</td><td>214</td><td>75</td><td>Provisional filing fee</td><td></td></tr> <tr><td colspan="5" style="text-align: right;"><b>SUBTOTAL (1)</b></td><td><b>(\$ 760.00)</b></td></tr> </tbody> </table>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	760	201	380	Utility filing fee	760.00	106	310	206	155	Design filing fee		107	480	207	240	Plant filing fee		108	760	208	380	Reissue filing fee		114	150	214	75	Provisional filing fee		<b>SUBTOTAL (1)</b>					<b>(\$ 760.00)</b>	<b>2. EXTRA CLAIM FEES</b>  <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Extra</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total Claims 29 - 20** = 9</td> <td>X 18</td> <td>=</td> <td>162.00</td> </tr> <tr> <td>Indep. Claims 8 - 3** = 5</td> <td>X 78</td> <td>=</td> <td>390.00</td> </tr> <tr> <td>Multiple Dependent Claims</td> <td></td> <td>=</td> <td></td> </tr> </tbody> </table> <p>** or number previously paid, if greater; For Reissues, see below</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>102</td><td>78</td><td>202</td><td>39</td><td>Independent claims in excess of 3</td></tr> <tr><td>104</td><td>260</td><td>204</td><td>130</td><td>Multiple dependant claim</td></tr> <tr><td>108</td><td>78</td><td>209</td><td>39</td><td>**Reissue independent claims over original patent</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr> <tr><td colspan="5" style="text-align: right;"><b>SUBTOTAL (2)</b></td><td><b>(\$ 552.00)</b></td></tr> </tbody> </table>		Extra	Fee from below	Fee Paid	Total Claims 29 - 20** = 9	X 18	=	162.00	Indep. Claims 8 - 3** = 5	X 78	=	390.00	Multiple Dependent Claims		=		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	78	202	39	Independent claims in excess of 3	104	260	204	130	Multiple dependant claim	108	78	209	39	**Reissue independent claims over original patent	110	18	210	9	**Reissue claims in excess of 20 and over original patent	<b>SUBTOTAL (2)</b>					<b>(\$ 552.00)</b>																																																																				
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SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	Steven R. Ludwig			Reg. Number	36,203
Signature				Deposit Acct. User ID	
	Date	11/23/99			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer: Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BRINGHURST *et al.*

Appl. No. To Be Assigned

Filed: Herewith

For: **Amino-Terminal Modified  
Parathyroid Hormone (PTH)  
Analog**

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 0609.4630001



**Authorization To Treat A Reply As Incorporating An Extension Of Time  
Under 37 C.F.R. § 1.136(a)(3)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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Attorney for Applicants  
Registration No. 36,203

Date: 11/23/99  
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